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## Refund Policy and procedure

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### Overview

AMCA's Refund Policy includes provision for refunds of tuition fees, non-tuition fees, resource fees, accommodation services (where relevant), airport pickup (where relevant), textbooks or other learning materials. Refunds for OSHC should be referred to the OSHC provider (where relevant).

This policy applies to all intending, commencing and continuing International Students. As soon as an International Student accepts a place offered by AMCA and pays the associated fees, a binding contract is created between the student and AMCA.

Where an application for an initial Student Visa is refused, the Department of Home Affairs (DHA) processing office will issue a letter to confirm that the Student Visa application has been refused. A copy of this letter must be provided to AMCA as evidence of Visa refusal and in order for the student to obtain a refund in accordance with the Refund Policy. Where the refusal letter is not provided, the refund will be calculated as per a student withdrawal in accordance with the table on the following pages.

Where a student defaults in accordance with the meaning given in this policy, the cancellation and refund fees in the tables that follow will prevail. In all cases of Student default, International Students will have access to AMCA's Complaints and Appeals Policy and Procedure.

All International Students who apply for a refund under this policy are afforded the principles of natural justice, including the ability to lodge a complaint or appeal against any decision relevant to an application for refund request.

This policy and the availability of complaints and appeals processes, do not remove the right of any student to take action under Australia's consumer protection laws.

### Tuition Protection Service

The Tuition Protection Service (TPS) is an initiative of the Australian Government to assist International Students whose education providers are unable to fully deliver their course of study. The TPS ensures that International Students are able to either:

- Complete their studies in another course or with another education provider; or
- Receive a refund of their unspent tuition fees.

In the unlikely event that AMCA is unable to deliver a course International Students have paid for and AMCA does not meet its obligations to either:

- Offer International Students an alternative course that they accept; or
- Pay International Students a refund of their unspent prepaid tuition fees (this is called a provider's 'default obligations');

#### **Procedure**

##### **Requirements for Applying for a Refund**

All International Students seeking a refund for any purpose must complete the Application for Refund Form and supply any supporting evidence as required. It should be noted that making an application for a cancellation of enrolment or a letter of release are not indicators that you are also seeking a refund and an Application for Refund Form must be completed at all times a refund is being sought.

A refund will not be provided in the following circumstances:

1. Where the International Student still has fees outstanding;
2. Where equipment and/or resources on loan to the International Student from AMCA have not been returned;
3. A complaint or appeal is in progress that is related or linked to the application for a refund.

Refunds will be provided into the International Student's nominated bank account in their own name. In the event that the International Student is deceased or incapable of nominating a bank account, the refund will be provided to the parent or legal guardian as nominated on the International Student's emergency contact details form. Under no circumstances will an International Student's refund be paid to an Education and/or Migration Agent or other third party without the International Student's written consent and that consent is written in the English language.

Where a refund is processed for overseas payments for International Students in accordance with this policy, International Students will be charged any bank fees associated with the transfer of funds. This is because AMCA absorbed the costs of the bank fees in receiving the fees upon initial payment.

In all cases where a refund is approved and processed, the International Student will receive a written statement that details how the refund was calculated and where it was paid into. In all cases where an International Student applies for a refund and the refund is declined; a written statement will be provided to the International Student outlining the reasons for the decision by AMCA to reject the application for a refund.

The student agrees to repay AMCA (on demand) any payments credited to the student in error. AMCA reserves the right to offset the amount of any over-payment made in error against any liability (including any future debt) owing to AMCA by the student.

All refunds, except those for provider default, will be processed within four (4) weeks.

#### **Refunds after AMCA Default**

In the unlikely event of AMCA default, then all unspent pre-paid tuition fees to date will be refunded to the student within four (4) weeks of the default day. Other associated fees may be refunded.

Alternatively, the Student may be offered enrolment in an alternative course (this course may or may not be with an alternative provider) at no extra cost with any unspent tuition fees transferred to the new course and where relevant, the new provider. The student reserves the right to accept either the refund amount or a place in another course.

Where the Student accepts a refund of unexpended pre-paid tuition fees from the TPS, they will be required to comply with all relevant immigration requirements and should note that this may have an impact on their Student Visa. Where the Student wishes to obtain further information about the Tuition Protection Service (TPS), it can be found at the following website:

<https://tps.gov.au/StaticContent/Get/StudentInformation>

Finally, if the AMCA cannot place the Student in a suitable alternative course and is unable to offer a refund of unspent tuition fees, the Tuition Protection Service (TPS) will attempt to place the Student in a suitable alternative course or, if this is not possible, Students will be eligible for a refund as calculated by the TPS.

If AMCA is not in a position to refund the unexpended pre-paid tuition fees, AMCA will notify the TPS Director within three (3) business days of the default or intention to default. At this time, AMCA will have fourteen (14) days to satisfy its tuition protection obligations to current Students. Subsequent to the fourteen (14) days lapsing, AMCA will have a further seven (7) days to advise the TPS Director of the final outcome.

For further information relating to the Tuition Protection Service (TPS), see Appendix A for a diagram provided for International Students by the TPS. Appendix B has a more comprehensive overview of these arrangements as provided by the TPS.

## All AMCA Courses

THIS POLICY APPLIES TO ALL AMCA COURSES			
Reason for Refund	Notification Period	Cancellation Fee	Refund Amount
<b>Student's application for a Student Visa unsuccessful</b>	<i>Before</i> education service commencement date	\$500	Full refund less Cancellation Fee \$500
<b>Student with a Student Visa withdraws</b>	<i>More than 28 days</i> before the original education service commencement date	\$500	Full refund less Cancellation Fee \$500 and non-refundable deposit

THIS POLICY APPLIES TO ALL AMCA COURSES			
Reason for Refund	Notification Period	Cancellation Fee	Refund Amount
	28 days or less before the original education service commencement date	Nil	No refund
<b>Fail to commence on the original course commencement without prior written notification</b>	<i>Four (4) weeks or less before education service commences</i>	Nil	No refund
<b>Student's application for a Student Visa unsuccessful</b>	<i>After education commences</i>	\$400	refund the amount of any unspent pre-paid tuition fees less withdrawal fee \$400
<b>For any reason other than Student Visa unsuccessful</b>	<i>After education commences</i>	\$400*	No refund
<b>NOTE:</b>			
<ol style="list-style-type: none"> <li>Where an International Student cancels their enrolment and has tuition fees outstanding (in other words, they have not maintained their course fee payments in accordance with their payment plan and Visa conditions), the cancellation fees above still apply and the fees owing would still be payable by the International Student according to <u>the due date of the invoice.</u>*</li> <li>Where an International Student has paid for more than one (1) term of study in advance and is seeking a refund, the above refund policy applies to all unspent tuition fees for the current term of study and all subsequent term of study are refunded in full according to the original (invoice) due date.</li> </ol>			
<b>If AMCA withdraws offer, fails to provide program offered or terminates an Education Service</b>	Before and After education commences	Nil	AMCA will refund the student the amount of any unspent pre-paid tuition fees.
<b>If AMCA withdraws a Student from the College because the student has seriously breached International Student Visa conditions or AMCA policies and procedures</b>	Before and After education commences	Nil	No refund of the course fees and 100% of fees applicable to a subsequent course.

### Non-Tuition Fee Payments

#### THIS POLICY APPLIES TO ALL NON-TUITION FEE PAYMENTS AT AMCA

OHSC	Contact OSHC Provider Direct – Non-Refundable
<b>NOTE:</b>	
1. If Students have paid money directly to an accommodation/homestay provider/booking service, this refund policy does not apply, and students should contact the accommodation service provider directly.	

### Application for Refund and Process

- If Students are eligible for a refund, they should apply in writing using the Application for Refund Form. This form can be delivered in person to Student Administration or alternatively, returned by post to:

**Student Administration  
AMCA  
Level 2, 55 Swanston Street Melbourne  
Victorian 3000 AUSTRALIA**

- Students should attach any supporting documents with their claim.
- Student Administration will review the application for refund and the supporting evidence. It is the student's responsibility to provide AMCA with all relevant documentation to support their claim.
- Student Administration will make a decision whether to refund the paid fees based on the student's claims.
- Student Administration will write to the student, normally within fourteen (14) days, advising the Student of the outcome. If the Student's application for refund is successful, a direct deposit will be made into the International Student's nominated bank account. Students must allow up to four (4) weeks for a refund to be processed.